

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

BRIAN BEHOVITZ, et al.,

Plaintiffs,

Case No. 24-cv-332

v

Hon. Paul L. Maloney

COUNTY OF BARRY, by its
BOARD OF COMMISSIONERS,
et al.,

Defendants.

**DEFENDANTS MONTCALM COUNTY AND THE MONTCALM COUNTY
TREASURER JOANNE VUKIN'S MOTION TO DISMISS**

ORAL ARGUMENT REQUESTED

For the reasons explained in the accompanying brief, Defendants move this Court to dismiss Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) and (6).

In accordance with Local Rule 7.1(d), I sought concurrence from Plaintiff's counsel in the relief requested and explained the basis for such relief on June 21, 2024, but as of the time of this filing, no response was received.

Dated: June 21, 2024

/s/ Theodore W. Seitz

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*Attorneys for Defendants Montcalm
County and JoAnne Vukin*

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2024, I caused to have electronically filed the foregoing paper with the Clerk of the Court using the CM/EMF system, which will send notice of this filing to all counsel of record and by email.

/s/ Theodore W. Seitz
Theodore W. Seitz (P60320)
*Attorney for Defendants Montcalm
County and Joanne Vukin*